IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.793 OF 2006

Mukesh Ramakant Pawar .. ..Petitioner
Versus
The State of Maharashtra ..Respondent

Mr.V.V.Purwant for petitioner
Mrs.U.V.Kejriwal, APP for State

CORAM : J.N.PATEL &
SMT. ROSHAN DALVI, JJ

DATE : 30TH AUGUST, 2006.

P.C.:

1. The learned APP after seeking instructions from Dy.Supdt. of Police Shri N.G.Ghorpade, submits that the Respondents will be filing report under Section 169 of Cr.P.C. If that is so, issue notice to Complainant. In so far as the grievance of the petitioner, who is original accused, is concerned, it does not survive.

2. The learned APP tenders the affidavit in reply in Court, which is taken on record.

(J.N.Patel, J.)

(Smt.Roshan Dalvi, J.)

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CORAM : J.N.PATEL &

SMT. ROSHAN DALVI, JJ

DATE : 31ST AUGUST, 2006.

P.C.:

1. Heard.

2. Affidavit in reply has been filed by Shri Nandkumar Gulabrao Ghorpade, Dy. Supdt. of Police, CID, Flying Squad, M.S., Pune in which it has been clearly stated that after thorough investigation of the case it was found that there is no sufficient evidence so as to file charge-sheet against the Petitioner and co-accused and therefore, a final report will be filed

before the JMFC, Pune for seeking orders classifying the same as "A" Summary. We therefore dispose of this petition with a direction to the Respondents that as and when they file their Final Report in the Court of JMFC, Pune, they will give notice to the Complainant, so that he can take steps according to law.

(J.N.Patel, J.)

(Smt.Roshan Daliv, J.)